

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

MARIA LUISA G. RAMIREZ, et al.

Plaintiffs,

§

§

§

versus

CIVIL ACTION NO. H-08-801

§

§

FREDDIE RECORDS, INC., et al.

Defendants.

§

§

FINAL JUDGMENT

On the 5th day of April, 2010, the above-styled and numbered case came on for trial. Both sides appeared and announced ready for trial, and the case was tried to a jury, one having been timely requested. At the conclusion of Plaintiff's case in chief, Defendant moved for judgment as a matter of law as to Plaintiff's claim. Defendant's motion was denied. Jury questions were submitted to the jury on Plaintiff's copyright claim.

The jury questions and answers were as follows:

JURY QUESTION NO. 1

Do you find by a preponderance of the evidence that the Defendants listed below are liable for copyright infringement for their acts on or after January 14, 2005 as to Plaintiff Tony Guerrero?

Answer:

- | | | |
|------------------------------------|---------------------------|--------------------------|
| a. Defendant Freddie Records, Inc. | Yes: <u> X </u> | No: _____ |
| b. Defendant Freddie Martinez, Sr. | Yes: _____ | No: <u> X </u> |
| c. Marfre Music Publishing | Yes: <u> X </u> | No: _____ |
| d. Defendant Freddie Martinez, Jr. | Yes: _____ | No: <u> X </u> |
| e. Defendant John Martinez | Yes: _____ | No: <u> X </u> |
| f. Defendant JoAnn Martinez | Yes: _____ | No: <u> X </u> |
| g. Defendant Marc J. Martinez | Yes: _____ | No: <u> X </u> |

Proceed to Question No. 2.

JURY QUESTION NO. 2

Do you find by a preponderance of the evidence that the Defendants listed below are liable for copyright infringement for their acts on or after January 14, 2005 as to Plaintiff Maria Ramirez?

Answer:

- | | | |
|------------------------------------|---------------------------|--------------------------|
| a. Defendant Freddie Records, Inc. | Yes: <u> X </u> | No: _____ |
| b. Defendant Freddie Martinez, Sr. | Yes: _____ | No: <u> X </u> |
| c. Marfre Music Publishing | Yes: <u> X </u> | No: _____ |
| d. Defendant Freddie Martinez, Jr. | Yes: _____ | No: <u> X </u> |
| e. Defendant John Martinez | Yes: _____ | No: <u> X </u> |

- f. Defendant JoAnn Martinez Yes: _____ No: X _____
- g. Defendant Marc J. Martinez Yes: _____ No: X _____

Proceed to the next page.

If you answered “yes” as to any Defendant in Question No. 1, please answer Question No. 3.

If you answered “no” as to all Defendants in Question No. 1, skip Question No. 3 and proceed to the next page.

JURY QUESTION NO. 3

What sum of money, if paid now in cash, would fairly and reasonably compensate Plaintiff Tony Guerrero for his injuries, if any, that resulted from Defendants’ actions?

Consider the elements of damages listed below and none other.

Answer separately, in dollars and cents for damages, if any. Do not include interest on any amount of damages you find.

a. Compensatory Damages ANSWER: \$ 58,178.00 _____

b. Defendants’ profits attributable to copyright infringement

ANSWER: \$ 6,322.00 _____

Please proceed to the next page.

If you answered “yes” as to any Defendant in Question No. 2, please answer Question No. 4.

If you answered “no” as to all Defendants in Question No. 2, skip Question No. 4 and sign the Certificate on the last page.

JURY QUESTION NO. 4

What sum of money, if paid now in cash, would fairly and reasonably compensate Plaintiff Maria Ramirez for her injuries, if any, that resulted from Defendants' actions?

Consider the elements of damages listed below and none other.

Answer separately, in dollars and cents for damages, if any. Do not include interest on any amount of damages you find.

- a. Compensatory Damages ANSWER \$ 112,671.00

- b. Defendants' profits attributable to copyright infringement

ANSWER \$ 21,197.00

Based on the verdict of the jury, the Court **ENTERS** the following judgment:

Judgment is **GRANTED** in favor of Plaintiff Tony Guerrero in the amount of \$64,510.00, and in favor of Plaintiff Maria Ramirez in the amount of \$133,868.00. Plaintiffs are also awarded attorney's fees in the amount of \$288,055.25.

In the event of an appeal to the Court of Appeals, the Court awards an additional amount of \$15,000, and in the event of an appeal to the Supreme Court, an additional amount of \$20,000. Post-judgment interest shall accrue at a rate of 0.28% per annum from the date of the judgment until paid.

THIS IS A FINAL JUDGMENT.

The Clerk shall enter this Order and provide a copy to all parties.

Signed this 15 day of August, 2010, at Houston, Texas.

Vanessa D. Gilmore
VANESSA D. GILMORE
UNITED STATES DISTRICT JUDGE